

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 66433

Kevin Blair Jr.  
Shana Blair

6008 Twilight Court

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 9, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) § 35-5-302 (b)(1)(6); Baltimore County Zoning Regulations (BCZR) § 101, 102.1, 1B01.1, failure to repair garage door on residential property zoned DR 10.5 known as 6008 Twilight Court, 21206.

On November 9, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 8, 2009 for removal of trash and debris, proper storage of garbage, repair defective garage door. This Citation was issued on November 9, 2009.

B. Photograph in the file taken November 9, 2009 shows the bottom half of the overhead garage door broken and askew, with gaps large enough for people or animals to enter. The garage is under the main floor of this row townhouse. Photograph taken December 7, 2009 shows a large sheet of plywood covering the opening. It is not clear whether the plywood is securely fastened to cover the opening.

C. Notes in the file state that the Correction Notice was returned by the Post Office and was re-sent to a new address, 59 Olde Forge Lane. Court records show this property is in foreclosure proceedings. Notes in the file do not indicate whether this Citation was also mailed to the new address, but notice requirements were satisfied because it was sent to Respondents at the last known address listed in the Maryland State Tax Assessment files.

D. Despite the indications that Respondents may have moved out of this house, this remains classified under the Baltimore County Code as "owner-occupied" property because there is not sufficient evidence to show that it has been uninhabited for six months. See BCC Section 35-2-401. The Baltimore County Livability Code for owner-occupied housing requires property owners to maintain the exterior structure of housing units, including keeping "windows and doors and the frames of all windows and doors in good repair, in a structurally sound condition." BCC Section 35-5-302. This garage is part of the housing unit, and the door must be repaired.

E. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by January 11, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14<sup>th</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer